



TABC Public Safety Penalty Chart

This chart is an excerpt from the [TABC Administrative Rules](#).

§34.2 Schedule of Sanctions and Penalties for Health, Safety and Welfare Violations

An act or failure to act which results in a violation of the code or rules that represents a threat to the public health, safety, or welfare will be assessed sanctions and penalties as follows:

Figure: 16 TAC §34.2

DESCRIPTION	1 ST Violation	2 nd Violation	3 rd Violation
Minor Related Offenses			
Employing a minor to sell, serve, prepare or otherwise handle alcoholic beverages in violation of §106.09 or §61.71(a)(12), Alcoholic Beverage Code.	5-7 days \$300 per day	10-14 days \$300 per day	30-Cancel \$300 per day
Permit a minor to possess or consume an alcoholic beverage in violation of §106.13, Alcoholic Beverage Code.	3-5 days \$300 per day	6-10 days \$300 per day	18-Cancel \$300 per day
Sale of an alcoholic beverage to a minor in violation of §106.03, Alcoholic Beverage Code.	8-12 days \$300 per day	16-24 days \$300 per day	48-Cancel \$300 per day
Conducting business in a manner as to allow a simple breach of the peace with no serious bodily injury or deadly weapon involved (as defined in the Texas Penal Code) in violation of §22.12 and §28.11, Alcoholic Beverage Code.	3-5 days \$300 per day	6-10 days \$300 per day	18-Cancel \$300 per day
Conducting business in a manner as to allow an aggravated breach of the peace with a serious bodily injury, death or involving a deadly weapon (as defined in the Texas Penal Code) in violation of §§22.12, 28.11, 69.13 and 71.09, Alcoholic Beverage Code.	25-35 days \$300 per day	Cancel	Cancel

DESCRIPTION	1 ST Violation	2 nd Violation	3 rd Violation
Failure to report a breach of the peace in violation of Alcoholic Beverage Code §11.61(b)(21) and §61.71(a)(31).	2-5 days \$300 per day	4-10 days \$300 per day	12-Cancel \$300 per day
Possession of, sale or delivery of, or permitting the sale or delivery of narcotics by a licensee or permittee or possession of any equipment used or designed for the administering of a narcotic in violation of §104.01, Alcoholic Beverage Code, or Title 16, §35.41(27), Texas Administrative Code.	25-35 days \$300 per day	Cancel	Cancel
The sale or service of an alcoholic beverage to an intoxicated person in violation of §§11.61(b)(14), 61.71(a)(6) or 101.63, Alcoholic Beverage Code.	8-12 days \$300 per day	16-24 days \$300 per day	Cancel
The license or permit holder or any employee being intoxicated on a licensed premise in violation of §11.61(b)(13) or §104.01, Alcoholic Beverage Code.	17-25 days \$300 per day	34-50 days \$300 per day	Cancel
Permitting public lewdness, sexual contact or obscene acts on a licensed premises in violation of §61.71(a)(11) or §104.01, Alcoholic Beverage Code and commission rule, §35.41(1) or the exposure of a person or permitting a person to expose his person in violation of §104.01(2), Alcoholic Beverage Code.	5-7 days \$300 per day	10-14 days \$300 per day	Cancel
Creating excessive noise or having unsanitary conditions at a licensed premises in violation of §101.62 or §11.61(b)(9), Alcoholic Beverage Code.	3-5 days \$300 per day	6-10 days \$300 per day	18-30 days \$300 per day

DESCRIPTION	1 ST Violation	2 nd Violation	3 rd Violation
Sell, serve or deliver alcoholic beverages during prohibited hours in violation of §105.01, et seq, Alcoholic Beverage Code. Consumption or permitted consumption of an alcoholic beverage during prohibited hours on a licensed premises in violation of §§11.61(b)(22), 61.71(a)(18) or 105.06, Alcoholic Beverage Code.	5-7 days \$300 per day	10-14 days \$300 per day	Cancel
Rudely displaying or permitting a person to rudely display a weapon in a retail establishment in violation of §104.01(3), Alcoholic Beverage Code.	5-7 days \$300 per day	10-14 days \$300 per day	30-Cancel \$300 per day
<p>The place and manner of operation of an establishment is such that it constitutes a violation of §§11.46 (a)(8), 11.61(b)(7), 61.42(a)(3) or 61.71(a)(17), Alcoholic Beverage Code by committing the below listed violations. Requires detail on offenses.</p> <p>Examples (not limited to the following offenses):</p> <p>Possession of any gambling paraphernalia or device; Gambling on a licensed premises; Keeping a gambling place;</p>			
Possession of any gambling paraphernalia or device;	5-7/\$300	10-14/\$300	Cancel
Gambling on a licensed premises;	8-12/\$300	16-24/\$300	Cancel
Keeping a gambling place;	13-18/\$300	26-36/\$300	Cancel

DESCRIPTION	1 ST Violation	2 nd Violation	3 rd Violation
Trafficking of an adult with intent that adult engage in forced labor or services or receives a benefit including labor or services per §20A.02(1-2) of the Penal Code;	Cancel	Cancel	Cancel
Trafficking an adult through force, fraud, coercion, causing prostitution-related conduct, receiving a benefit, or engaging in sexual conduct with an adult per §20A.02(3-4) of the Penal Code;	Cancel	Cancel	Cancel
Trafficking of one child with intent that child engage in forced labor or services, or receiving a benefit of such trafficking, including labor or services per §20A.02(5-6) of the Penal Code;	Cancel	Cancel	Cancel
Trafficking of one child causing child to engage in, be victim of, or conduct prohibited by sexual offenses described in §20A.02(7), received benefit, or participation in sexual conduct with a child trafficked per §20A.02(7-8) of the Penal Code;	Cancel	Cancel	Cancel
Continuous trafficking of persons under §20A.03 of the Penal Code;	Cancel	Cancel	Cancel
Prostitution;	Cancel	Cancel	Cancel
Promotion of prostitution;			
Prohibited Activities by Persons	5-7/\$300	10-14/\$300	Cancel
Younger Than 18 (See AB Code 106.15,	8-12/\$300	16-24/\$300	Cancel
Penal Code 43.05, Penal Code 43.25 or	13-18/\$300	26-36/\$300	Cancel
Penal Code 43.251);	Cancel	Cancel	Cancel
Obscenity.	Cancel	Cancel	Cancel

Note: Readopted Without Changes and Effective: March 27, 2018

Note: Amended Rule Effective: October 17, 2019